


Entered - 03/02/01 - sb  
CL01L0144 - DIANNE C. MITCHELL

CLAIM OF: **JOHN H. STANFORD, JR.**  
**541 Hollydale Court**  
**Atlanta, Georgia 30342**

**01-*L*-1377**

For damages alleged to have been sustained as a result of a vehicular  
accident on February 5, 2001 at 130 Wieuca Road.

THIS ADVERSED REPORT IS APPROVED

BY:   
**ROSALIND RUBENS NEWELL**  
**DEPUTY CITY ATTORNEY**

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0144

Date: August 16, 2001

Claimant /Victim JOHN H. STANFORD, JR.

BY: (Atty)(Ins. Co.)

Address: 541 Hollydale Court, Atlanta, Georgia 30342

Subrogation: Claim for Property damage \$ 7,000.00 Bodily Injury \$

Date of Notice: 02/19/01 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 02/05/01 Place: 130 Wieuca Road

Department PRCA Division: Parks

Employee involved John Nash Disciplinary Action: Written Reprimand

**NATURE OF CLAIM:** The driver of the City vehicle failed to secure the rear gate on the truck and as he was driving down Wieuca Road the gate swung open and struck the claimant's vehicle causing damages in the above amount. An offer was made to the claimant to settle his claim for the maximum limit as set forth in City Code Section 2-4, but the claimant has rejected that offer.

### INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures X Diagrams Reports: Police X Dept Report X Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

### BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

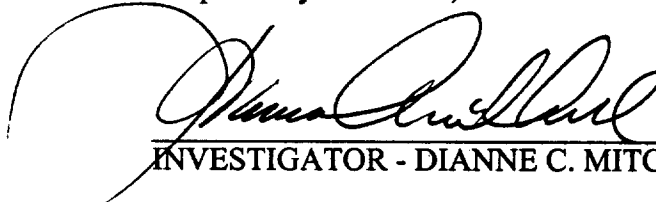
Improper Notice More than Six Months Other Damages reasonable

City not involved Offer rejected X Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

### RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager: Concur/date 08-16-01

Committee Action: Council Action

**JOHN H. STANFORD, JR.**

541 Hollydale Court  
Atlanta, Georgia 30342  
(404) 843-3742

*MTA*  
03/01/01  
*DM*

February 15, 2001

Council of the City of Atlanta  
Clerk of Council  
City Hall  
55 Trinity Street, S.W.  
Atlanta, GA 30335

ENTERED - 3-2-01 - SB  
01L0144 - DIANNE MITCHELL

Re: Claim for Damages

Dear Sir or Madam:

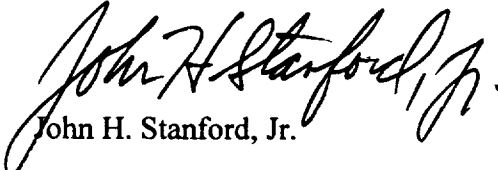
Enclosed is the Claim for Damages dated February 14, 2001, which I have completed and signed. This relates to a collision which occurred February 5, 2001, on West Wieuca Road, when my car was struck by a metal bar which was attached to the rear gate of a City of Atlanta Parks Department truck. The gate swung open as the truck rounded a curve on West Wieuca Road, causing extensive damage to my car. The police were called and completed an accident report. The case number is 010360587.

I submitted a claim to my insurance company, State Farm. They had an adjuster look at the car and make an estimate of the damage. They have declared my car a total loss, and I will be receiving a check from them in excess of \$7,000.00. They will provide you with an estimate of the damage. My claim was handled by Ms. Debbie Stephens. Her phone number is 770-879-2192. The claim number is 113594920.

I am enclosing several pictures, showing the damage to my car, the City Dump Truck and the metal bar which was torn from the truck when it struck my front windshield.

Please let me know if you need any other information to process this claim.

Very truly yours,

  
John H. Stanford, Jr.

JHS:slr

enclosures

cc: Ms. Debbie Stephens / Claim Number: 113594920  
State Farm  
2240 W. Park Place Boulevard  
Stone Mountain, GA 30087

COUNCIL OF THE CITY OF ATLANTA  
CLERK OF COUNCIL  
CITY HALL  
55 TRINITY STREET, S.W.  
ATLANTA, GEORGIA 30335

RE: CLAIM FOR DAMAGES

DATE: Feb. 14, 2001

FEB 19 2001

Dear Clerk of Council:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 7,000 + property and / or \$ 0 bodily injury for which I contend the City is liable.

case # 010360587

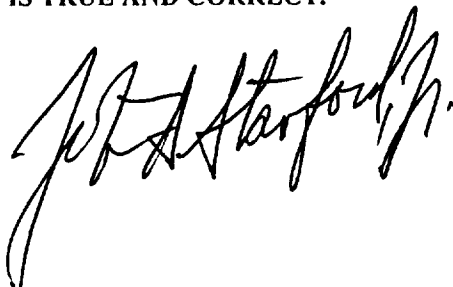
1. Date of incident: 02 / 05 / 2001 (month / day / year) 2. Police called: ☒ YES ☐ NO
3. Location of incident: West Wieuca Road between Roswell Road and Lake Forest Road
4. Name of your insurance company: State Farm Policy No. P29 4453-B11-11
5. State what and how incident occurred: I was traveling west on West Wieuca Road, when a Parks Department Truck, approaching from the opposite direction, rounded a curve, causing its rear gate to fly open. A steel bar attached to the gate struck my windshield. The bar broke loose and struck the rear quarter panel of my car.
6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your Vehicle: JEEP 1994 84KZ9 John H. Stanford, Jr.  
(make) (year) (tag number) (driver's name)

City Vehicle: (#19821) International John Nash DPRCA PARKS  
(make) dump (city driver's name) (department/bureau)

8. Witness: None  
(name) (address) (telephone number)
9. The acknowledgment of this claim in no way waives the Governmental immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or is employee(s).
10. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.



John H. Stanford, Jr.  
(CLAIMANT'S NAME)

541 Hollydale Court  
(ADDRESS)

Atlanta, GA 30342  
(CITY AND STATE)

770-951-0696

(WORK NUMBER)

404-843-3742

(HOME NUMBER)

01-R-1377